

REMARKS/ARGUMENTS

In the Office Action mailed October 1, 2003, claims 2-12 and 16-21 were rejected.

Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

CLAIM REJECTIONS – 35 U.S.C. § 112

Examiner rejected claim 21 under 35 U.S.C §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention because claim 21 depended from a cancelled claim. In light of the amendment to the claim, Applicant hereby respectfully requests that the rejection to this claim be removed.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

The Examiner rejected claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Cooper (U.S. 3,996,137) in view of McDuffie (U.S. 3,799,347) (hereinafter referred to as “Cooper” and “McDuffie”). These rejections or respectfully traversed.

In order to establish a *prima facie* case of obviousness, the prior art references must teach or suggest all aspects of the claim. (See MPEP § 2143.03). Claim 3, and thus claim 4 by its dependency upon claim 3, recites “wherein the outlet and inlet have tubular hose barbs and the filter is configured to permit operation of the filter if the filter is installed so that the inlet functions as an outlet and the outlet functions as an inlet”. Neither Cooper or McDuffie either separately or in combination teach or suggest the combination recited in claim 3. Indeed, McDuffie as illustrated in the figures is configured for instillation of the filter to be accomplished by co-operating threads. In addition, Cooper does not teach or suggest the use of a tubular section with a hose barb for attaching the filter. For at least these reasons Applicant respectfully respects the rejections of 35 U.S.C. § 103(a) of claim 3 and 4 be withdrawn.

Claim 2-9, 11-12, and 16-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,456,800 to Humbert in view McDuffie. Applicant respectfully traverses these rejections. Claim 2 recites “the inlet having a tubular hose barb” and “the outlet having a tubular hose barb”. Nowhere in McDuffie or Humbert is there teaching or suggestion to have outlets or inlets having tubular hose barbs. Therefore, Applicant respectfully requests rejection of claim 2 under 35 U.S.C. § 103(a) over Humbert in view of McDuffie be withdrawn. As previously mentioned, claim 3 and its dependent claims 4-9 recite “wherein the inlet and outlet have tubular hose barbs and the filter is configured to permit operation of the filter if the filter is installed so that the inlet functions as an outlet and the outlet functions as an inlet.” Nowhere does Humbert nor McDuffie either separately or in combination teach or suggest the combination of claim 3. For at least these reasons, Applicant respectfully requests that the rejections under 35 U.S.C. § 103(a) be withdrawn with respect to claim 3 and its dependent claims 4-9 and 11.

Claim 12 recites “wherein the inlet and outlet have tubular hose barbs and the filter is configured to function if the filter is installed so that the inlet functions as an outlet and the outlet functions as an inlet.” As discussed above, nowhere in Humbert or McDuffie either separately or in combination is there teaching or suggestion of a combination as recited in claim 12. Therefore, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) of claim 12 and its dependent claims 16-21 be withdrawn.

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Copper in view of McDuffie as applied to claim 3 and in further view of U.S. Patent No. 6,139,737 to Gizowski. Claim 10 is dependent upon claim 3. Thus Applicant respectfully submits that claim 10 is

patentable based on its dependency of claim 3 and claim 3 is patentable for at least the reasons stated above. Therefore, Applicant respectfully requests the rejection of claim 10 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the foregoing remarks, Applicant respectfully requests allowance of all pending claims. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1703 in an effort to resolve any matter still outstanding before issuing another action. The undersigned attorney is confident that any issue which might remain can readily be worked out by telephone. In the event this paper is not time filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036.

Respectfully submitted,

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